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EXAMINER

LAMBRECHT, CHRISTOPHER M

ART UNIT PAPER NUMBER

2611

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/753,444

Applicant(s)

ZUSTAK ET AL.

Examiner

Christopher M. Lambrecht

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

-or-

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3 and 35-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Takashi (US006181326B1).

With regard to claim 1, Takahashi discloses a television set-top box (5, fig. 1), comprising: a tuner (21, fig. 2, detail of STB 5 in fig. 1) for receiving signals representing television programming and delivering the signals representing television programming to a display interface (35, fig. 2); a central processor (33, fig. 2); a bar code reader (12, fig. 1, detail in fig. 4, col. 7, ll. 25-26 and col. 8, ll. 33-42), operatively coupled to (via remote control signal receiving circuit 31 and decoder 32, fig. 2) the central processor (33), to read bar codes (col. 5, ll. 25-34); and program means (variety of processing, col. 6, ll. 14-17), running on said processor, for receiving bar code information from the bar code reader (12) (col. 5, ll. 25-34 and col. 6, ll. 42-49).

As for claim 2, Takahashi discloses the apparatus according to claim 1 (see above), further comprising a communication device (modem 36, fig. 2), operatively coupled to (via interface 35) the central processor (33), suitable for sending and receiving data over a communication medium (col. 6, ll. 3-9).

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As for claim 3, Takahashi discloses the apparatus according to claim 2 (see above), wherein the program means further communicates with the communication device (col. 6, ll. 13-20) to send information obtained from the bar code reader to a service provider (where the service provider provides Internet (col. 6, ll. 3-9) connectivity via the phone line, col. 7, ll. 14-19; the information obtained from the bar code reader is a batch of data, col. 5, ll. 25-33, and said batch of data is received via remote control signal receiving circuit 31, col. 6, ll. 34-49).

With regard to claim 35, Takahashi discloses a television set-top box (5, fig. 1), comprising: a tuner (21, fig. 2, detail of STB 5 in fig. 1) for receiving signals representing television programming and delivering the signals representing television programming to a display interface (35, fig. 2); a central processor (33, fig. 2); a product identification reader (bar code reader 12, fig. 1, detail in fig. 4, col. 7, ll. 25-26 and col. 8, ll. 33-42), operatively coupled to (via remote control signal receiving circuit 31 and decoder 32, fig. 2) the central processor (33), to read bar codes (col. 5, ll. 25-34) to read a product identifier; and program means (variety of processing, col. 6, ll. 14-17), running on said processor, for receiving bar code information from the bar code reader (12) (col. 5, ll. 25-34 and col. 6, ll. 42-49). Takahashi fails to disclose the bar code reader is a product identification reader.

As for claim 36, Takahashi discloses the apparatus according to claim 35 (see above), further comprising a communication device (modem 36, fig. 2), operatively coupled to (via interface 35) the central processor (33), suitable for sending and receiving data over a communication medium (col. 6, ll. 3-9).

As for claim 37, Takahashi discloses the apparatus according to claim 36 (see above), wherein the program means further communicates with the communication device (col. 6, ll. 13-20) to send information obtained from the bar code reader to a service provider (where the service provider provides Internet (col. 6, ll. 3-9) connectivity via the phone line, col. 7, ll. 14-19; the information obtained from the

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bar code reader is a batch of data, col. 5, ll. 25-33, and said batch of data is received via remote control signal receiving circuit 31, col. 6, ll. 34-49).

3. Claims 29 and 34 are rejected under 35 U.S.C. 102(b) as being anticipated by Reimer (US005696905A).

With regard to claim 29, Reimer discloses a method of obtaining information, comprising: at a set-top box (106, fig. 1, col. 6, ll. 24-27), submitting a request for information to a service provider (104, col. 7, ll. 40-41, and col. 23, ll. 55-57); at the service provider (104), receiving the request for information and matching the request for information with a plurality of vendor submissions (col. 23, ll. 57-66); at the service provider, sending the plurality of vendor submissions to the set-top box (106) for communication to a subscriber (col. 23, l. 66 – col. 24, l. 7).

As for claim 34, Reimer discloses the method according to claim 29 (see above), wherein the submitting for information is carried out by navigating a hierarchal menu system to identify information desired (col. 23, l. 51 – col. 24, l. 7, the user is first presented with a menu of categories of items appearing in the particular scene, and is thereafter presented with a sub-menu containing a menu of items within said category, and is thereafter presented with a list of merchants which supply said items).

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4-6 and 38-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi in view of Schena (Schena et al., US006448979B1).

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With regard to claim 4, Takahashi discloses the apparatus according to claim 3 (see above). However, Takahashi fails to disclose the communication device (36) further receives data from the service provider associated with the bar code.

In an analogous art, Schena discloses a communication device (receiver 180, fig. 1) receives data from a service provider (portal server 200, providing communication between receiver 180 and provider 600) associated with a bar code (col. 6, ll. 27-45 and col. 9, ll. 2-7, where scanner 100 is a bar code reader, col. 3, ll. 57-62), for the purpose of linking to advertisements using a minimal amount of information (col. 9, ll. 8-16).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Takahashi to include the communication device further receives data from the service provider associated with the bar code, as taught by Schena, for the purpose of linking to advertisements using a minimal amount of information in a television set-top box.

As for claim 5, Takahashi and Schena together disclose the apparatus according to claim 4, wherein the data received from the service provider comprises offers for products or services associated with the bar coder (Schena, col. 10, ll. 55-57).

As for claim 6, Takahashi and Schena together disclose the apparatus according to claim 4, wherein the data received from the service provider comprises uses for a product associated with the bar code (col. 10, ll. 50-55, where instruction manuals comprise uses for the associated product).

With regard to claim 38, Takashi discloses the apparatus according to claim 37 (see above). However, Takashi fails to disclose the communication device further receives data from the service provider associated with the product identifier.

In an analogous art, Schena discloses a communication device (receiver 180, fig. 1) receives data from a service provider (portal server 200, providing communication between receiver 180 and provider 600) associated with a bar code (col. 6, ll. 27-45 and col. 9, ll. 2-7, where scanner 100 is a bar code

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reader, col. 3, ll. 57-62), for the purpose of linking to advertisements using a minimal amount of information (col. 9, ll. 8-16).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Takahashi to include the communication device further receives data from the service provider associated with the bar code, as taught by Schena, for the purpose of linking to advertisements using a minimal amount of information in a television set-top box.

As for claim 39, Takahashi and Schena together disclose the apparatus according to claim 38 (see above), wherein the data received from the service provider comprises offers for products or services associated with the bar coder (Schena, col. 10, ll. 55-57).

As for claim 40, Takahashi and Schena together disclose the apparatus according to claim 4, wherein the data received from the service provider comprises uses for a product associated with the bar code (col. 10, ll. 50-55, where instruction manuals comprise uses for the associated product).

As for claim 41, Takahashi and Schena together disclose the apparatus according to claim 35, wherein the product identification reader comprises a bar code reader (Schena, scanner 100, col. 3, ll. 58-63), and wherein the product identifier comprises a bar code (where the bar code is an UPC code, col. 4, ll. 41-51).

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Giovannoli (US005758328A) in view of White (White et al., US006034689A).

With regard to claim 7, Giovannoli discloses a system and corresponding method for obtaining quotes (col. 3, ll. 55-59, see fig. 2A-B), comprising: at a user site employing a web browser, submitting a request for quote (RFQ) to a service provider (quotation system central office computer, col. 4, l. 67 – col. 5, l. 8); at the service provider, resubmitting the RFQ to a plurality of vendors (col. 5, ll. 9-12 and 37-39); at the service provider, receiving a plurality of quotes from vendors (see fig. 2A, 5<sup>th</sup> block); and at the

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service provider, forwarding the quotes to the user for communication to a subscriber (see fig. 2B).

Giovannoli fails to disclose a set-top box.

In an analogous art, White discloses a user site employing a web browser implemented as a set-top box (see abstract, ll. 1-5, col. 3, ll. 53-55, and col. 4, ll. 13-17), for the purpose of providing web browsing, email, and other Internet services to be displayed on a television (col. 4, ll. 45-56).

Consequently, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the system of Giovannoli to include a set-top box, as taught by White, for the purpose of providing web browsing, email, and other Internet services to be displayed on a television in a system for obtaining quotes.

As for claim 8, Giovannoli and White together disclose the method according to claim 7 (see above), further comprising at the set-top box (White, see abstract, ll. 1-5, col. 3, ll. 53-55, and col. 4, ll. 13-17) sending a message to the service provider to accept a quote from one of the plurality of vendors (Giovannoli, col. 6, ll. 2-6).

As for claim 9, Giovannoli and White together disclose the method according to claim 8 (see above), further comprising at the service provider (quotation system), notifying the one of the plurality of vendors of the acceptance of the quote and of the identity (i.e., via credit information) of the subscriber (Giovannoli, col. 6, ll. 14-19 and 2-6).

As for claim 10, Giovannoli and White together disclose the method of claim 7, wherein the submitting is carried out by navigating a hierarchal menu system to identify a product or service required, and submitting the RFQ from the menu system (col. 4, ll. 12-21).

7. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Giovannoli and White as applied to claim 10 above, and further in view of Perkowski (US005950173A).



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Considering claim 11, Giovannoli and White together disclose the method according to claim 10 (see above), wherein the menu system comprises selections for obtaining quotes (see rejection of claim 10, above). However, Giovannoli and White together fail to disclose selections for registering products and obtaining information.

In an analogous art, Perkowski discloses selections for registering products (product registration button, 21C, fig. 3C, col. 27, ll. 42-45 and 57-64) and obtaining information (IPI find button, 21A, fig. 3C) (col. 15, ll. 30-45), for the purpose of enabling products to be electronically linked (via registration in IPD database, col. 27, ll. 57-64) with advertisements, product specs, updates, distributors, warranty/servicing, and incentives (col.6, ll. 37-59), and that such information is made available for graphic display to users (col. 6, ll. 57-59).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Giovannoli and White to include selections for registering products and obtaining information, as taught by Perkowski, for the purpose of enabling products to be electronically linked with advertisements, product specs, updates, distributors, warranty/servicing, and incentives, and that such information is made available for graphic display to users in a method for obtaining quotes.

8. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Giovannoli and White as applied to claim 7 above, and further in view of Sirbu (Sirbu et al., US005809144A).

Considering claim 12, Giovannoli and White together disclose the method according to claim 7. However, they fail to disclose the subscriber is identified to vendors at the time of submission of the RFQ only by an RFQ identifier.

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In an analogous art, Sirbu discloses the subscriber is identified to vendors at the time of submission of the RFQ only by an RFQ identifier (pseudonym, col. 8, ll. 51-57, and col. 13, l. 61 – col. 14, l. 29), for the purpose of permitting the customer to disguise their identity (col. 13, ll. 62-67).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Giovannoli and White to include the subscriber is identified to vendors at the time of submission of the RFQ only by an RFQ identifier, as taught by Sirbu, for the purpose of permitting the customer to disguise their identity in a method of obtaining quotes.

9. Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Giovannoli and White as applied to claim 7 above, and further in view of De Souza (De Souza et al., US 20020099611A1).

Considering claim 13, Giovannoli and White together disclose the method according to claim 7. However, Giovannoli and White fail to disclose charging a subscription fee to the subscriber to permit submission of the RFQ.

In an analogous art, De Souza discloses charging a subscription (i.e., monthly) fee to the subscriber to permit submission of the RFQ (§70 and §15). Such a fee structure provides consistent revenue during periods of decreased usage.

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Giovannoli and White to include charging a subscription fee to the subscriber to permit submission of the RFQ, as taught by De Souza, for the purpose of providing consistent revenue during periods of decreased usage in a method of obtaining quotes.

As for claim 14, Giovannoli and White together disclose the method according to claim 7. However, they fail to disclose charging a per use fee to the subscriber to permit submission of the RFQ.

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In an analogous art, De Souza discloses charging a per use (i.e., transaction) fee to the subscriber to permit submission of the RFQ (§70 and §15). Such a fee structure provides increased revenue in response to increased usage.

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Giovannoli and White to include charging a per use fee to the subscriber to permit submission of the RFQ, as taught by De Souza, for the purpose of providing increased revenue in response to increased usage.

As for claim 15, Giovannoli and White together disclose the method according to claim 7. However, they fail to disclose charging a subscription fee to the vendors to receive the RFQ.

In an analogous art, De Souza discloses charging a subscription (monthly) fee to the vendors to receive the RFQ (§70 and §15, where a “user” comprises both buyers and merchants, as defined in §10). Such a fee structure provides consistent revenue during periods of decreased usage.

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Giovannoli and White to include charging a subscription fee to the vendors to receive the RFQ, as taught by De Souza, for the purpose of providing consistent revenue during periods of decreased usage in a method for obtaining quotes.

As for claim 16, Giovannoli and White together disclose the method according to claim 7. However, they fail to disclose charging a per use fee to the vendors to receive the RFQ.

In an analogous art, De Souza discloses charging a per use (transaction) fee to the vendors to receive the RFQ (§70 and §15, where a “user” comprises both buyers and merchants, as defined in §10). Such a fee structure provides increased revenue in response to increased usage.

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Giovannoli and White to include charging a per use fee to

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the vendors to receive the RFQ, as taught by De Souza, for the purpose of providing increased revenue in response to increased usage in a method for obtaining quotes.

As for claim 17, Giovannoli and White together disclose the method according to claim 8.

However, they fail to disclose charging a fee to the vendor receiving the acceptance.

In an analogous art, De Souza discloses charging a fee to the vendor receiving the acceptance (i.e., purchase order) (§70 and §15, where a “user” comprises both buyers and merchants, as defined in §10). Such fees generate revenue based on actual transactions, in addition to subscription and usage fees.

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Giovannoli and White to include charging a fee to the vendor receiving the acceptance, as taught by De Souza, for the purpose of generating revenue based on actual transactions, in addition to subscription and usage fees in a method for obtaining quotes.

As for claim 18, Giovannoli and White together disclose the method according to claim 8.

However, they fail to disclose charging a fee to the subscriber as a result of receiving the acceptance.

In an analogous art, De Souza discloses charging a fee to the subscriber as a result of receiving the acceptance (i.e., purchase order) (§70 and §15, where a “user” comprises both buyers and merchants, as defined in §10). Such fees generate revenue based on actual transactions, in addition to subscription and usage fees.

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Giovannoli and White to include charging a fee to the subscriber as a result of receiving the acceptance, as taught by De Souza, for the purpose of generating revenue based on actual transactions, in addition to subscription and usage fees in a method for obtaining quotes.

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10. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Perkowski in view of White, Quinlan (Quinlan et al., US006748365B1), and Barnett (Barnett et al., US20010001145A1).

Considering claim 19, Perkowski discloses a method of registering a product (col. 27, ll. 38-39), comprising: at a client system (13, fig. 2A1), submitting product registration data (product UPC) to a service provider (IPD Server 11, col. 27, ll. 57-63); and, at the service provider, entering the product registration data into a database (IPI Registrant Database, col. 27, ll. 57-63). Perkowski fails to disclose the client system is a set-top box; at the service provider, matching the product registration data to a plurality of vendor registrations submitted by a plurality of vendors; at the service provider, sending the product registration data to a plurality of matching vendors; at the service provider, receiving a plurality of submissions from the plurality of matching vendors; and forwarding the submissions to the set-top box for communication to a subscriber.

In an analogous art, White discloses a client system implemented as a set-top box (see abstract, ll. 1-5, col. 3, ll. 53-55, and col. 4, ll. 13-17), for the purpose of providing web browsing, email, and other Internet services to be displayed on a television (col. 4, ll. 45-56).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Perkowski to include a set-top box as a client system, as taught by White, for the purpose of providing web browsing, email, and other Internet services to be displayed on a television in a method for registering a product. Perkowski and White fail to disclose at a service provider, matching the product registration data to a plurality of vendor registrations submitted by a plurality of vendors; at the service provider, sending the product registration data to a plurality of matching vendors; and, at the service provider, receiving a plurality of submissions from the plurality of matching vendors.

In an analogous art, Quinlan discloses at a service provider, matching the product registration data to a plurality of vendor registrations submitted by a plurality of vendors (col. 9, ll. 47-50, 39-42, and

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col. 10, ll. 6-19); at the service provider, sending the product registration data to a plurality of matching vendors (col. 20, ll. 23-26); and, at the service provider, receiving a plurality of submissions from the plurality of matching vendors (col. 12, ll. 7-10), for the purpose of decreasing the time to process consumer rebates (col. 19, ll. 5-16), and providing valuable consumer marketing data to retailers and manufacturers (col. 20, ll. 3-13).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Perkowski and White to include at the service provider, matching the product registration data to a plurality of vendor registrations submitted by a plurality of vendors; at the service provider, sending the product registration data to a plurality of matching vendors; at the service provider, receiving a plurality of submissions from the plurality of matching vendors, as taught by Quinlan, for the purpose of decreasing the time to process consumer rebates, and providing valuable consumer marketing data to retailers and manufacturers in a method for registering a product. Perkowski, White, and Quinlan fail to disclose forwarding submissions to a personal computer for communication to a subscriber.

In an analogous art, Barnett discloses forwarding submissions (coupons) to a personal computer (i.e., a client system) (6, fig. Fig. 1) for communication to a subscriber (§49), for the purpose of providing coupons via an easily accessible electronic system (§47, ll. 1-6 and §23).

Consequently, it would have been obvious to one of ordinary skill in the art to modify the system of Perkowski, White, and Quinlan to include forwarding the submissions to the set-top box (client system) for communication to a subscriber, as taught by Barnett, for the purpose of providing coupons via an easily accessible electronic system in a method for registering a product.

11. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Perkowski, White, Quinlan, and Barnett as applied to claim 19 above, and further in view of Sirbu.

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With regard to claim 20, Perkowski, White, Quinlan, and Barnett together disclose the method according to claim 19. However, they fail to disclose the subscriber is identified to the vendors as an alias.

In an analogous art, Sirbu discloses the subscriber is identified to vendors as an alias (pseudonym, col. 8, ll. 51-57, and col. 13, l. 61 – col. 14, l. 29), for the purpose of permitting the customer to disguise their identity (col. 13, ll. 62-67).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Perkowski, White, Quinlan, and Barnett to include the subscriber is identified to the vendors as an alias, as taught by Sirbu, for the purpose of permitting the customer to disguise their identity in a system for registering a product.

12. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Perkowski, White, Quinlan, and Barnett as applied to claim 19 above, and further in view of Giovannoli.

With regard to claim 21, Perkowski, White, Quinlan, and Barnett together disclose the method according to claim 19. However, they fail to disclose filtering advertisements out for vendors selected by the subscriber.

In an analogous art, Giovannoli discloses filtering advertisements out for vendors selected by the subscriber (col. 6, ll. 51-59), for the purpose of providing a user with notification of a sale on a particular product (col. 6, ll. 5-59).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Perkowski, White, Quinlan, and Barnett to include filtering advertisements out for vendors selected by the subscriber, as taught by Giovannoli, for the purpose of providing a user with notification of a sale on a particular product in a method for registering a product.

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13. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Perkowski, White, Quinlan, and Barnett as applied to claim 19 above, and further in view of Fraser (US005664115A).

With regard to claim 22, Perkowski, White, Quinlan, and Barnett together disclose the method according to claim 19. However, they fail to disclose charging a fee to the vendor for the submissions.

In an analogous art, Fraser discloses charging a fee to vendors for submitting (sending) vendor registrations (listings) (col. 5, l. 62 – col. 6, l. 2, and col. 6, ll. 18-22), for the purpose of covering operating expenses (col. 6, ll. 18-22).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Perkowski, White, Quinlan, and Barnett to include charging a fee to vendors for submitting vendor registrations, as taught by Fraser, for the purpose of covering operating expenses in a method for registering a product.

14. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Perkowski, White, Quinlan, and Barnett as applied to claim 23 above, and further in view of Wolff.

Considering claim 23, Perkowski, White, Quinlan, and Barnett together disclose the method according to claim 19. However, they fail to disclose charging a fee to the vendor for forwarding the submissions (i.e., presenting advertisements/offers to the user).

In an analogous art, Wolff discloses charging a fee to the vendor for forwarding the submissions (i.e., presenting advertisement banner contained in a web page forwarded to the user, col. 7, ll. 21-26), for the purpose of enabling the sponsor to recover a fee for the advertisement (col. 7, ll. 21-26).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Perkowski, White, Quinlan, and Barnett to include charging a fee to the vendor for forwarding the submissions, as taught by Wolff, for the purpose of enabling the sponsor to recover a fee for the advertisement in a method for registering a product.



15. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Perkowski, White, Quinlan, and Barnett as applied to claim 19 above, and further in view of Woolston (US005845265A).

With regard to claim 24, Perkowski, White, Quinlan, and Barnett together disclose the method according to claim 19. However, they fail to disclose charging a fee to the subscriber for the submission.

In an analogous art, Woolston discloses charging a fee to the subscriber for the submission (col. 7, ll. 1-20 and ll. 42-50). This type of fee structure provides the desired service to the subscriber and in return generates revenue for the service provider.

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Reimer to include charging a fee to the subscriber for the submission, as taught by Woolston, for the purpose of generating revenue for the service provider in a method for registering a product.

16. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Perkowski, White, Quinlan, and Barnett as applied to claim 19 above, and further in view of Chelliah (US005710887A).

Considering claim 25, Perkowski, White, Quinlan, and Barnett together disclose the method according to claim 19. However, they fail to disclose charging a subscription fee to the subscriber.

In an analogous art, Chelliah discloses charging a subscription fee to the subscriber (col. 10, ll. 18-25, where the participant object is used to submit requests for information, col. 10, ll. 31-33 and 39-43), for the purpose of enabling sensitive information to be provided using a secure means at the time the user account is initiated (col. 10, ll. 25-30).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Reimer to include charging a subscription fee to the

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subscriber, as taught by Chelliah, for the purpose of enabling sensitive information to be provided using a secure means at the time the user account is initiated in a method for registering a product.

17. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Perkowski, White, Quinlan, Barnett as applied to claim 19 above, and further in view of Hayashi (Hayashi et al., US005485246A).

With regard to claim 26, Perkowski, White, Quinlan, and Barnett together disclose the method according to claim 19, wherein the product registration is carried out by navigating a hierarchal menu system (Perkowski, control panel 21C of fig. 3AC, including menu selection option for product registration mode, col. 27, ll. 40-45), and entering product detail (Perkowski, UPC codes, col. 27, ll. 57-64). However, they fail to disclose the menu system is used to identify a type of product to be registered.

In an analogous art, Hayashi discloses a menu system is used to identify a type of product to be registered (col. 21, ll. 14-15, see figs. 25-35). Such menu systems provide convenient, easy to use interface for performing data entry.

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Perkowski, White, Quinlan, and Barnett to include the menu system is used to identify a type of product to be registered, as taught by Hayashi, for the purpose of providing a convenient, easy to use interface for performing data entry in a method for registering a product.

18. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Perkowski, White, Quinlan, Barnett, and Hayashi as applied to claim 26 above, and further in view of Takahashi.

Considering claim 27, Perkowski, White, Quinlan, Barnett, and Hayashi together disclose the method according to claim 26. However, they fail to disclose scanning a product code with a bar code reader associated with the set-top box.

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In an analogous art, Takahashi discloses product detail is entered by scanning a bar code reader associated with the set-top box (col. 5, ll. 25-34), for the purpose of enabling the scanning of a printed character string into the set-top box (col. 5, ll. 25-34).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Perkowski, White, Quinlan, Barnett, and Hayashi to include product detail is entered by scanning a bar code reader associated with the set-top box, as taught by Takahashi, for the purpose of enabling the scanning of a printed character string into the set-top box in a system for registering a product.

19. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Perkowski, White, Quinlan, and Barnett as applied to claim 19 above, and further in view of Takahashi.

With regard to claim 28, Perkowski, White, Quinlan, and Barnett together disclose the apparatus according to claim 19, wherein the product registration is carried out by navigating a hierarchal menu system (Perkowski, control panel 21C of fig. 3AC, including menu selection option for product registration mode, col. 27, ll. 40-45), and entering product detail (Perkowski, UPC codes, col. 27, ll. 57-64). However, they fail to disclose scanning with a bar code reader associated with the set-top box.

In an analogous art, Takahashi discloses product detail is entered by scanning a bar code reader associated with the set-top box (col. 5, ll. 25-34), for the purpose of enabling the scanning of a printed character string into the set-top box (col. 5, ll. 25-34).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Perkowski, White, Quinlan, and Barnett to include product detail is entered by scanning a bar code reader associated with the set-top box, as taught by Takahashi, for the purpose of enabling the scanning of a printed character string into the set-top box in a system for registering a product.

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20. Claims 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reimer in view of Fraser.

With regard to claims 30 and 31, Reimer discloses the method according to claim 29 (see above). However, Reimer fails to disclose charging a fee to the vendors for submitting (sending) vendor submissions.

In an analogous art, Fraser discloses charging a fee to vendors for submitting (sending) vendor submissions (listings) (col. 5, l. 62 – col. 6, l. 2, and col. 6, ll. 18-22), for the purpose of covering operating expenses (col. 6, ll. 18-22).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Reimer to include charging a fee to the vendors for submitting vendor submissions, as taught by Fraser, for the purpose of covering operating expenses in a method for obtaining information.

21. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Reimer in view of Woolston.

With regard to claim 32, Reimer discloses the method according to claim 29 (see above), and that subscribers would be willing to pay a fee for the requested information (col. 10, ll. 17-21). However, Reimer fails to explicitly disclose charging a fee to the subscriber for submitting a request for information.

In an analogous art, Woolston discloses charging a fee to the subscriber for submitting a request for information (agent request, col. 7, ll. 1-20 and ll. 42-50). This type of fee structure provides the subscriber with the requested information and in return generates revenue for the service provider.

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Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Reimer to include charging a fee to the subscriber for submitting a request for information, as taught by Woolston, for the purpose of generating revenue for the service provider in a method for obtaining information.

22. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Reimer in view of Chelliah.

With regard to claim 33, Reimer discloses the method according to claim 29. However, Reimer fails to disclose charging a subscription fee to the subscriber to allow submissions of requests for information.

In an analogous art, Chelliah discloses charging a subscription fee to the subscriber to allow submissions of requests for information (col. 10, ll. 18-25, where the participant object is used to submit requests for information, col. 10, ll. 31-33 and 39-43), for the purpose of enabling sensitive information to be provided using a secure means at the time the user account is initiated (col. 10, ll. 25-30).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Reimer to include charging a subscription fee to the subscriber to allow submissions of requests for information, as taught by Chelliah, for the purpose of enabling sensitive information to be provided using a secure means at the time the user account is initiated in a method for obtaining information.

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### ***Conclusion***

23. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

### **Certificate of Mailing**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on \_\_\_\_\_  
(Date)

Typed or printed name of person signing this certificate:

\_\_\_\_\_

Signature: \_\_\_\_\_

### **Certificate of Transmission**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) \_\_\_\_\_ - \_\_\_\_\_ on \_\_\_\_\_.  
(Date)

Typed or printed name of person signing this certificate:

\_\_\_\_\_

Signature: \_\_\_\_\_

Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher M. Lambrecht whose telephone number is (703) 305-8710. The examiner can normally be reached on 9:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on (703) 305-4755. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Christopher M. Lambrecht  
Examiner  
Art Unit 2611

CML



HAITRAN  
PATENT EXAMINER